

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3116

AN ORDINANCE approving a conditional use permit for the construction of a joint Police and Fire Training facility and to perform associated clearing and grading on property located between 116th Avenue N.E. and the Burlington Northern Railroad right-of-way, and south of N.E. 19th Street, if extended, in the City of Bellevue, as recommended by the Hearing Examiner.

WHEREAS, the City of Bellevue Fire Department has applied for a conditional use permit on property located between 116th Avenue N.E. and the Burlington Northern Railroad right-of-way, and south of N.E. 19th Street, if extended, in order to construct a joint Police and Fire Training facility and to perform associated clearing and grading; and

WHEREAS, on April 22, 1982, a public hearing was held thereon by the Hearing Examiner pursuant to notice required by law; and

WHEREAS, on May 6, 1982, the Hearing Examiner recommended to the City Council conditional approval of said conditional use and made and entered findings of fact and conclusions based thereon in support of his recommendation, with which findings and conclusions the Council concurs; and

WHEREAS, the City of Bellevue has complied with the requirements of the State Environmental Policy Act and the City Environmental Procedures Ordinance; now, therefore

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The City Council adopts the findings of fact and conclusions made and entered by the Hearing Examiner in support of his recommendation to the Council in this matter, as set forth in "Findings and Recommendation of the Hearing Examiner for the City of Bellevue, In the Matter of the Application of City of Bellevue Fire Department For a Conditional Use Permit Including Clearing and Grading, File No. PC-D 82-4."

Section 2. The City Council hereby approves the conditional use permit application of City of Bellevue Fire Department for the construction of a joint Police and Fire Training facility and to perform associated clearing and grading on property located between 116th Avenue N.E. and the Burlington Northern Railroad right-of-way, and south of

N.E. 19th Street, if extended, in the City of Bellevue, and more particularly described as:

The North 474.56 feet of that portion of the following description lying Westerly of the Northern Pacific Railway Company's right-of-way:

Beginning at a point on the West line of the Northwest 1/4 of Section 28, Township 25 North, Range 5 East, W.M., at a point 1739.12 feet South of the Northwest corner of said section; thence South 869.56 feet to the Southwest corner of the Northwest 1/4 of said section; thence East 1274.13 feet; thence North 871.52 feet; thence West 1274.13 feet to the point of beginning; EXCEPT the West 270 feet thereof;

TOGETHER WITH an easement for ingress, egress, and utilities upon the following described property:

Beginning at the intersection of the South line of the North 515.40 feet and the East line of the West 30.00 feet of the Northwest 1/4 of Section 28, Township 25 North, Range 5 East, W.M.; thence South 88°37'43" East parallel to the North line of the said Northwest 1/4 330.28 feet; thence South 05°57'55" East 357.08 feet to the South line of the North 869.56 feet of said subdivision; thence North 88°37'43" West along said South line 19.00 feet; thence North 05°57'55" West 323.81 feet; thence North 88°37'43" West to the East line of the West 30.00 feet of said subdivision; thence North 01°12'00" East 33.00 feet to the point of beginning; TOGETHER WITH an easement for all necessary cuts, slopes, and fills incident to the construction and maintenance of the easement for ingress and egress;

AND TOGETHER WITH an easement for ingress, egress and utilities over, under and across the following described property:

Commencing at the Northwest corner of the Northwest 1/4 of Section 28; thence South 1°12'00" West 548.40 feet along the West line of said 1/4 section; thence South 88°37'43" East 30.00 feet parallel with the North line of said 1/4 section to the point of beginning of this description, thence South 88°37'43" East 20.00 feet along a line 33.00 feet South of and parallel with the South line of the North 515.40 feet of said 1/4 section; thence South 46°17'09" West 28.24 feet to the East line of the West 30.00 feet of said 1/4 section; thence North 1°12'00" East 20.00 feet parallel with the West line of said 1/4 section to the point of beginning;

AND TOGETHER WITH a non-exclusive easement for roadway purposes only upon the surface of the Burlington Northern Railway's right-of-way upon the following described premises:

That area in the Northwest 1/4 of the Northwest 1/4 of Section 28, Township 25 North, Range 5 East, W.M., as shown in Orange color on the Exhibit "A" map dated July 8, 1974, recorded under Recording No. 741113-0721, attached thereto and by reference made a part thereof;

AND TOGETHER WITH an easement for ingress, egress and utilities over and across the Easterly 20 feet of Lots 2, 3 and 4 of Short Plat No. 78-08 as recorded under King County Recording No. 780223-0769;

AND TOGETHER WITH an easement for water, electrical, telephone and gas utility lines over and through the South 15 feet of the North 1943.68 feet of the East 240 feet of the West 270 feet of said Northwest 1/4 of Section 28;

AND TOGETHER WITH an easement for ingress, egress and utilities over, under and across the South 25 feet of the North 2123.68 feet of the East 240 feet of the West 270 feet of said Northwest 1/4 of Section 28;

PROVIDED that this approval of said conditional use shall be subject to the following terms and conditions, and this approval is conditioned on full compliance therewith:

1. Prior to the issuance of a clearing and grading permit, a final, detailed geotechnical report shall be prepared by a licensed soils engineer for submittal to the Department of Public Works. The report shall address all recommendations of the March 11, 1981 report by Earth Consultants, Inc., for techniques or methods to be used during all phases of construction to insure that surface and subsurface drainage will not create flooding, slides, erosion or related problems. That report shall also include final recommendations for the grading and replanting of slopes, benching of fill areas and the design of retaining walls and subsurface drains.
2. A final landscape plan shall be reviewed and approved by the Departments of Planning and Public Works. That plan shall include the location, number and size of additional plantings along the perimeter of the site and revegetation of disturbed slopes.
3. The applicant's grading plan shall be revised to show the retention of 15% of the existing significant trees on the site pursuant to Section 20.20.520 of the Land Use Code.

4. A drainage plan shall be submitted to the Department of Public Works showing a provision for the conveyance of runoff from uphill properties across the subject site.
5. The applicant shall limit all soil exposure and earthwork to weather favorable for construction.
6. Prior to the issuance of the conditional use permit, the applicant shall acquire administrative conditional use approval for the height of the six-story training tower.
7. Any blockage of the access easement shall be removed when the access to the south is opened.

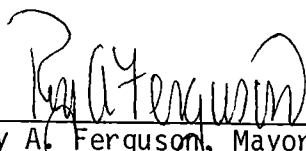
PROVIDED further that this approval of said conditional use is conditioned on full compliance with the plans and attachments, conditions, commitments, reports and other documents relating to this conditional use, given Clerk's Receiving No. 7711, which are hereby by this reference fully incorporated herein.

Section 3. The conditional use granted herein is subject to all federal, state and local laws, rules and regulations, including but not limited to Bellevue Land Use Code Sections 20.30.875, 20.30.880 and 20.30.885.

Section 4. This ordinance shall be published by posting it in the three official posting places of the City, and shall take effect and be in force five days after the date of posting.

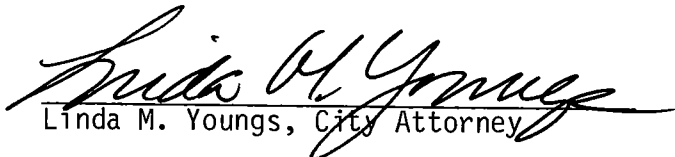
PASSED by the City Council this 7 day of June, 1982, and signed in authentication of its passage this 7 day of June, 1982.

(SEAL)




Roy A. Ferguson, Mayor

Approved as to form:



Linda M. Youngs, City Attorney

Attest:



Patricia K. Weber, City Clerk

Published June 9, 1982